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10 Attorneys for Defendant and Counterclaimant  
LIBERTY MUTUAL FIRE INSURANCE COMPANY

11 UNITED STATES DISTRICT COURT

12 NORTHERN DISTRICT OF CALIFORNIA

13 LARGO CONCRETE, INC., a California  
14 Corporation; N.M.N. CONSTRUCTION,  
INC., a California Corporation,

15 Plaintiffs,

16 v.

17 LIBERTY MUTUAL FIRE INSURANCE  
18 COMPANY, a Massachusetts Corporation,  
and DOES 1 through 100, inclusive.

19 Defendants.

20  
21 AND RELATED COUNTERCLAIM

Case No. C07-04651 CRB (ADR)

Hon. Charles R. Breyer  
[Complaint Filed: September 10, 2007]

**DECLARATION OF JOHN SILBERSTEIN  
FILED IN SUPPORT OF LIBERTY  
MUTUAL FIRE INSURANCE  
COMPANY'S REPLY BRIEF**

Date: December 21, 2007  
Time: 10:00 a.m.  
Place: Courtroom 8

**DECLARATION OF JOHN SILBERSTEIN**

I, John Silberstein, declare as follows:

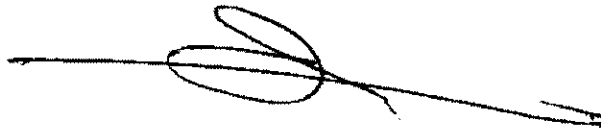
1. I am employed by Liberty Mutual Insurance Company ("LMIC") as a Director of Technical Claims. In that capacity, I often supervise the handling of claims insured by LMIC and its affiliate, Liberty Mutual Fire Insurance Company ("LMFIC")(collectively "Liberty Mutual"). As a Director of Technical Claims I am familiar with Liberty Mutual's corporate and other business records. The facts set forth below are based upon my personal knowledge and/or information obtained from the business records maintained by Liberty Mutual which records were created in the ordinary course of business at or near the time of the events reflected in those records. If called and sworn as a witness, I could and would testify competently thereto.

2. As a Director of Technical Claims, my job duties include supervising claims adjusters in the complex unit of Liberty Mutual's Orange, California branch office who handle general liability and commercial auto and trucking claims.

3. I have reviewed information contained on Liberty Mutual's electronic claims system and determined that LMFIC insured the following customers: (1) Church Insurance Agency Corp.; (2) Dayco Products; (3) Lincoln Property Co.; (4) Gemcon Inc.; (5) Nalco Plumbing Co.; and (6) Alta Drywall Inc.

I declare under penalty of perjury, pursuant to the laws of the United States of America, that the foregoing is true and correct.

Executed this 12th day of December 2007 at Orange, California.



JOHN SILBERSTEIN